

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**

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STATE OF TEXAS, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 1:18-CV-68
	)	
UNITED STATES OF AMERICA, <i>et al.</i> ,	)	
	)	
Defendants,	)	
	)	
<i>and</i>	)	
	)	
KARLA PEREZ, <i>et al.</i> ,	)	
	)	
Defendant-Intervenors,	)	
	)	
	)	

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**PLAINTIFFS' AND DEFENDANT-INTERVENORS' UNOPPOSED MOTION  
TO MODIFY THE SCHEDULING ORDER**

Pursuant to Local Rule LR7.8, Plaintiffs State of Texas, et al. ("Plaintiffs") and Defendant-Intervenors Elizabeth Diaz, *et al.* and the State of New Jersey ("Defendant Intervenors"), respectfully request that the Court modify the revised scheduling order, ECF No. 648, to (1) extend the deadline for Plaintiffs to file their consolidated reply in support of their motion for summary judgment and response to Defendants' cross-motions for summary judgment and (2) extend the deadline for Defendants to file their replies in support of their cross-motions for summary judgment. No party to this case opposes this motion.

Defendant-Intervenors, along with Federal Defendants, filed their oppositions to Plaintiffs' motion for summary judgment and their own cross-motions for summary judgment and supporting briefs on March 2, 2023. *See* ECF Nos. 636, 639, 641, 642. On March 3, 2023, Plaintiffs filed an unopposed motion to modify the scheduling order to allow

them to file a single, consolidated brief (1) replying to Federal Defendants', New Jersey's, and Diaz Defendant-Intervenors' summary judgment oppositions and (2) responding to Federal Defendants', New Jersey's, and Diaz Defendant-Intervenors' briefs in support of their own cross-motions. *See* ECF No. 643. The Court granted Plaintiffs' unopposed motion on March 9, 2023, modifying the scheduling order and setting Plaintiffs' deadline to file a consolidated response and reply for March 30, 2023. *See* ECF No. 648. Defendants' replies in support of their cross-motions for summary judgment are currently due on April 6, 2023.

*See id.*

As a result of the complexity and length of the filings, counsel's competing case demands (including international work travel by counsel for Diaz Defendant-Intervenors), and religious holidays and obligations in early April, Plaintiffs and Defendant-Intervenors respectfully request that the Court (1) grant Plaintiffs an additional seven-day extension (to and including April 6, 2023) to file their consolidated response to the cross-motions and reply brief in support of their motion, and (2) grant Defendants a 21-day extension (to and including April 27, 2023) to file their replies in support of their cross-motions motions for summary judgment. Counsel for the United States note their preference to maintain the existing schedule, but do not oppose this requested modification.

## **CONCLUSION**

For the foregoing reasons, Defendant-Intervenors respectfully request that the Court reset Plaintiffs' consolidated response and reply deadline to April 6, 2023, and reset Defendants' reply deadline to April 27, 2023.

Dated: March 22, 2023

Respectfully Submitted,

**MEXICAN AMERICAN LEGAL  
DEFENSE AND EDUCATIONAL FUND**

By: /s/ Nina Perales

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**CERTIFICATE OF CONFERENCE**

I hereby certify that, on March 20, 21, and 22, 2023, I conferred with counsel for the other parties. Plaintiffs, Federal Defendants, and Defendant Intervenor New Jersey do not oppose the requested relief.

*/s/ Nina Perales*  
Nina Perales  
Attorney for Defendant-Intervenors

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that, on March 22, 2023, I electronically filed the above and foregoing document using the CM/ECF system, which automatically sends notice and a copy of the filing to all counsel of record.

*/s/ Nina Perales*  
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Attorney for Defendant-Intervenors